

## **HALL & ASSOCIATES**

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February 23, 2016

### **Via FOIA Online**

National Freedom of Information Officer  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (2822T)  
Washington, DC 20460

### **Re: FOIA Request for E-mails and Documents Related to EPA's 4-State Meeting.**

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To Whom This May Concern:

This is a request for a public records pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, as implemented by the Environmental Protection Agency ("EPA") at 40 C.F.R. Part 2. For purposes of this request, the definition of "records" includes, but is not limited to, documents, letters, memoranda, notes, reports, e-mail messages (including e-mails to and from personal e-mail accounts), minutes, handouts, policy statements, data, technical evaluations or analysis, and studies.

### **Background**

On November 13, 2013, EPA personnel from Region VII and Headquarters attended the annual EPA Region VII "4-States" Governmental Affairs Meeting. At the "4-States" meeting, Mr. Neugeboren informed the regulated community and state permitting agencies present of the Agency's conclusions regarding the precedential scope of the *Iowa League of Cities v. EPA*, 711 F.3d 844 (8<sup>th</sup> Cir. 2013) ("*ILOC*"), ruling. The NWEA's Effluent Line journal reported the content of the Agency's statements at the "4 States" meeting regarding the applicability of the *ILOC* decision to future NPDES permitting decisions.

In preparation for NWEA's article within Effluent Line, Vol. 44, No. 4, EPA Region VII received a draft copy of the meeting minutes, seeking confirmation on the accuracy of the recollection of NWEA's reporter. The EPA HQ employees in attendance

at this meeting included Connie Bosma, Steve Neugeboren, and Kevin Weiss. *See* attached Ex. 1.

### **Request**

This request seeks any and all records at EPA HQ concerning:

- 1) E-mails to and from EPA HQ to any party concerning the accuracy of EPA statements made at the 4-States meeting.
- 2) Meeting summary documents received by EPA (draft and final) and any comments submitted by EPA HQ to address the accuracy of statements made at the 4-States meeting.
- 3) Any internal agency documents discussing the accuracy of reported statements attributed to EPA.

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Please contact the undersigned if the associated search and duplication costs are anticipated to exceed \$250.00. Please duplicate the records that are responsive to this request and send it to the undersigned at the above address. If the requested record is withheld based upon any asserted privilege, please identify the basis for the non-disclosure.

If you have any questions regarding this request, please do not hesitate to contact this office so as to ensure that only the necessary document is duplicated.

Respectfully,

/s/ Adam Carlesco

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Nov 13, 2013 WEF mtg.

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